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7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No.

2010-349

11 **MATTHEW JAMES NORRIS**
12 **525 Kitlou Court**
13 **Holland, OH 43528-9168**
Registered Nurse License No. 570493

A C C U S A T I O N

14 Respondent.

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16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
20 Department of Consumer Affairs.

21 **Registered Nurse License**

22 2. On or about August 21, 2000, the Board issued Registered Nurse License Number
23 570493 to Matthew James Norris ("Respondent"). The registered nurse license was in full force
24 and effect at all times relevant to the charges brought herein and will expire on January 31, 2010,
25 unless renewed.

26 **STATUTORY PROVISIONS**

27 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
28 part, that the Board may discipline any licensee, including a licensee holding a temporary or an

1 inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of
2 the Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 2761 states, in pertinent part:

8 The board may take disciplinary action against a certified or licensed
9 nurse or deny an application for a certificate or license for any of the following:

10 (f) Conviction of a felony or of any offense substantially related to the
11 qualifications, functions, and duties of a registered nurse, in which event the record of
12 the conviction shall be conclusive evidence thereof.

12 **COST RECOVERY**

13 6. Code section 125.3 provides, in pertinent part, that the Board may request the
14 administrative law judge to direct a licentiate found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 **CAUSE FOR DISCIPLINE**

18 **(Criminal Conviction)**

19 7. Respondent is subject to discipline pursuant to Code section 2761, subdivision (f), in
20 that on February 27, 2009, in the Superior Court, County of Ventura, California, in the matter
21 entitled *People v. Matthew James Norris*, Case No. 2007046499 M A, Respondent was found
22 guilty and convicted by the court of a violation of Penal Code section 243.4, subdivision (e)(1)
23 (sexual battery) and Penal Code section 647, subdivision (k)(1) (disorderly conduct – looking
24 through a hole or opening), both misdemeanors. The circumstances of the crime are that on or
25 about December 9, 2007, while at a Gold's Gym in Thousand Oaks, California and in the shower
26 area of the gym, Respondent grabbed the private area of EAA, another male patron. Shortly
27 thereafter, EAA caught Respondent peeking at him through some holes in the shower curtain of
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1 the stall where EAA was showering. EAA reported the incident and Respondent was arrested and
2 charged with the above-referenced violations.

3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:


6 1. Revoking or suspending Registered Nurse License Number 570493, issued to
7 Matthew James Norris;

8 2. Ordering Matthew James Norris to pay the Board of Registered Nursing the
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
10 Professions Code section 125.3; and,

11 3. Taking such other and further action as deemed necessary and proper.
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13

14 DATED: 1/25/10

15 for


16 LOUISE R. BAILEY, M.ED., RN
17 Interim Executive Officer
18 Board of Registered Nursing
19 Department of Consumer Affairs
20 State of California
21 Complainant
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